

AMENDED IN SENATE SEPTEMBER 11, 2013

AMENDED IN ASSEMBLY APRIL 18, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1112

**Introduced by Assembly Member Ammiano
(Coauthor: Assembly Member Maienschein)**

February 22, 2013

An act to amend Section ~~4860~~ *131102* of the ~~Welfare and Institutions~~ *Public Utilities* Code, relating to ~~developmental services~~ *transportation*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1112, as amended, Ammiano. ~~Developmental services: habilitation.~~ *Transportation transactions and use taxes: Bay Area.*

The Bay Area County Traffic and Transportation Funding Act authorizes the formation of county transportation authorities in each of the 9 Bay Area counties, and provides for the imposition of a retail transaction and use tax of either $\frac{1}{2}$ of 1% or 1%, subject to voter approval, with revenues to be used for various transportation purposes. Existing law, however, limits the total rate of tax that may be imposed in a county under these provisions and under the Transactions and Use Tax Law to 1%.

This bill would delete this limitation.

~~Existing law provides that an adult who receives services for the developmentally disabled must be provided habilitation services, which include services provided under the Supported Employment Program, when he or she satisfies specified eligibility requirements. Under existing law, the Department of Rehabilitation or the regional center, as applicable, is required to pay providers of individualized or~~

~~group-supported employment services an hourly rate of \$30.82. Existing law also requires that a program provider be paid specified additional fees under certain circumstances. Existing law further requires the Department of Rehabilitation to establish and maintain maximum rates of payment for goods and services, as specified.~~

~~This bill would require that those providers of individualized and group-supported employment services be paid the rates provided in existing law or rates established by the Department of Rehabilitation, whichever are greater. The bill would also require that a program provider, under certain circumstances, be paid a fee of \$700 for employment preparation services provided to a consumer prior to placement in an integrated job.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 131102 of the Public Utilities Code is
2 amended to read:

3 131102. (a) ~~Except as provided in subdivision (b), a~~ A retail
4 transactions and use tax ordinance for a tax of either one-half of
5 1 percent or 1 percent applicable in the incorporated and
6 unincorporated territory of a county may be imposed by a county
7 transportation authority or the commission in the manner prescribed
8 in Section 131103 and Part 1.6 (commencing with Section 7251)
9 of Division 2 of the Revenue and Taxation Code, if two-thirds of
10 the electors voting on the measure vote to approve its imposition
11 at an election which shall be called for this purpose by the board
12 of supervisors within one year after the adoption of a county
13 transportation expenditure plan.

14 ~~(b) The rate of tax imposed pursuant to subdivision (a) together~~
15 ~~with the rate of tax imposed pursuant to the Transactions and Use~~
16 ~~Tax Law (Part 1.6 (commencing with Section 7251) of Division~~
17 ~~2 of the Revenue and Taxation Code) by any entity, as authorized~~
18 ~~by any other provision of law, shall not exceed 1 percent in any~~
19 ~~county.~~

20 ~~(c)~~

21 (b) The ordinance shall take effect at the close of the polls on
22 the day of election at which the proposition, as set forth in Section
23 131108, is adopted. The ordinance shall specify the period, as

1 determined by the adopted county transportation expenditure plan
2 during which the tax will be imposed. The tax may be terminated
3 earlier if the projects in the adopted plan are completed and any
4 bonds outstanding issued pursuant to this division are redeemed.

5 SECTION 1. Section 4860 of the Welfare and Institutions Code
6 is amended to read:

7 4860. (a) (1) ~~The hourly rate for supported employment~~
8 ~~services provided to consumers receiving individualized services~~
9 ~~shall be thirty dollars and eighty-two cents (\$30.82).~~

10 (2) ~~Job coach hours spent in travel to consumer worksites may~~
11 ~~be reimbursable for individualized services only when the job~~
12 ~~coach travels from the vendor's headquarters to the consumer's~~
13 ~~worksite or from one consumer's worksite to another, and only~~
14 ~~when the travel is one way.~~

15 (b) ~~The hourly rate for group services shall be thirty dollars and~~
16 ~~eighty-two cents (\$30.82), regardless of the number of consumers~~
17 ~~served in the group. Consumers in a group shall be scheduled to~~
18 ~~start and end work at the same time, unless an exception that takes~~
19 ~~into consideration the consumer's compensated work schedule is~~
20 ~~approved in advance by the regional center. The department, in~~
21 ~~consultation with stakeholders, shall adopt regulations to define~~
22 ~~the appropriate grounds for granting these exceptions. When the~~
23 ~~number of consumers in a supported employment placement group~~
24 ~~drops to fewer than the minimum required in subdivision (r) of~~
25 ~~Section 4851, the regional center may terminate funding for the~~
26 ~~group services in that group, unless, within 90 days, the program~~
27 ~~provider adds one or more regional centers, or Department of~~
28 ~~Rehabilitation-funded supported employment consumers to the~~
29 ~~group.~~

30 (c) ~~Job coaching hours for group services shall be allocated on~~
31 ~~a prorated basis between a regional center and the Department of~~
32 ~~Rehabilitation when regional center and Department of~~
33 ~~Rehabilitation consumers are served in the same group.~~

34 (d) ~~When Section 4855 applies, fees shall be authorized for the~~
35 ~~following:~~

36 (1) ~~A three-hundred-sixty-dollar (\$360) fee shall be paid to the~~
37 ~~program provider upon intake of a consumer into a supported~~
38 ~~employment program. No fee shall be paid if that consumer~~
39 ~~completed a supported employment intake process with that same~~
40 ~~supported employment program within the previous 12 months.~~

1 ~~(2) A seven-hundred-dollar (\$700) fee shall be paid to the~~
2 ~~program provider for employment preparation services provided~~
3 ~~to a consumer prior to placement in an integrated job. No fee shall~~
4 ~~be paid if that consumer completed an employment preparation~~
5 ~~process with the same supported employment program within the~~
6 ~~previous 12 months.~~

7 ~~(3) A seven-hundred-twenty-dollar (\$720) fee shall be paid~~
8 ~~upon placement of a consumer in an integrated job, except that no~~
9 ~~fee shall be paid if that consumer is placed with another consumer~~
10 ~~or consumers assigned to the same job coach during the same hours~~
11 ~~of employment.~~

12 ~~(4) A seven-hundred-twenty-dollar (\$720) fee shall be paid after~~
13 ~~a 90-day retention of a consumer in a job, except that no fee shall~~
14 ~~be paid if that consumer has been placed with another consumer~~
15 ~~or consumers, assigned to the same job coach during the same~~
16 ~~hours of employment.~~

17 ~~(e) Notwithstanding paragraph (4) of subdivision (a) of Section~~
18 ~~4648, the regional center shall pay the supported employment~~
19 ~~program rates established by this section, or rates established by~~
20 ~~the Department of Rehabilitation, whichever are greater.~~